

MEMORANDUM

July 29, 1971

TO: BOSTON REDEVELOPMENT AUTHORITY
FROM: Robert T. Kenney
SUBJECT: BOARD OF APPEAL REFERRALS

Petitions Nos. Z-2176-2177
Donald Slade
101 & 111 Tremont Street, Brighton

Petitioner seeks two forbidden use permits and fifteen variances to erect two, three-story and basement 62 unit apartment buildings in a single family (S-.5) district. The proposal would violate the code as follows:

<u>101 Tremont Street</u>	<u>Req'd</u>	<u>Proposed</u>
Section 8-7. A multi family dwelling is forbidden in an S-.5 district.		
Section 10-1. Parking not allowed in front yard nor within five feet of side lot line.		
Section 14-2. Lot area for additional dwelling unit is insufficient.	4000 sf/du	532 sf/du
Section 15-1. Floor area ratio is excessive.	0.5	2.
Section 16-1. Height of building is excessive.	2½ stories	3 stories
Section 19-1. Side yard is insufficient.	12 ft.	11 ft.
Section 20-1. Rear yard is insufficient.	50 ft.	10 ft.
Section 23-1. Off street parking is insufficient.	62	45

<u>111 Tremont Street</u>		
Section 8-7. A multi family dwelling is forbidden in an S-.5 district.		
Section 10-1. Parking not allowed in front yard nor within five feet of side lot line.		
Section 14-2. Lot area for additional dwelling unit is insufficient.	4000 sf/du	532 sf/du
Section 15-1. Floor area ratio is excessive.	0.5	2.
Section 16-1. Height of building is excessive.	2½ stories	3 stories
Section 18-1. Front yard is insufficient.	30 ft.	
Section 19-1. Side yard is insufficient.	12 ft.	11 ft.
Section 20-1. Rear yard is insufficient.	50 ft.	10 ft.
Section 23-1. Off street parking is insufficient.	62	45

BOARD OF APPEAL REFERRALS 7/29/71

Z-2176-2177 (cont.)

The property, located on Tremont Street near the intersection of Cufflin Street, contains partially completed building foundations. Other apartment buildings are adjacent and across the street. The proposed development would include efficiency, one, two and three bedroom units. The developer has agreed to reserve 74 units for the elderly which reduces the parking requirements to 65 plus 9 guest spaces. The staff recommends the following proviso: That 74 units be reserved for the elderly; that the developer, MHFA and the Allston-Brighton Community Development Corporation mutually agree on a tenant selection, tenant location and a tenant lease plan; that the developer provide landscaped parking for at least 74 cars; that a retaining wall, satisfactory to rear abutters, be provided by the developer; that the proposed development plans be submitted to the Authority for design review. Recommend approval with proviso.

VOTED: That in connection with Petition Nos. Z-2176-2177, brought by Donald Slade, 101 & 111 Tremont Street, Brighton, for two forbidden use permits and fifteen variances to erect two three story 62 unit apartment structures in a single family (S-.5) district, the Boston Redevelopment Authority recommends approval with the following provisos: that 74 units be reserved for the elderly; that the developer, MHFA and the Allston-Brighton Community Development Corporation mutually agree on a tenant selection, tenant location and a tenant lease plan; that the developer provide landscaped parking for at least 74 cars; that a retaining wall, satisfactory to rear abutters, be provided by the developer; that the proposed development plans be submitted to the Authority for design review.

This is a detailed street map of a neighborhood in Boston, Massachusetts. The map shows Tremont St. running vertically on the left, Ricker St. running horizontally at the bottom, and Tremont St. running horizontally on the right. A large, shaded rectangular area is highlighted in the center, likely indicating a specific project site. The map includes property boundaries, lot numbers, and building footprints. The Church of Our Lady of the Presentation is visible in the upper right. Various other buildings and streets are labeled, including Tremont St., Ricker St., and Tremont. The map also shows the Church of Our Lady of the Presentation and various other buildings and streets.

Petition No. Z-2204
Marine Realty Corp.
AllRight Boston Parking, Inc. (lessee)
22-28 Oliver Street, Boston

Petitioner seeks a conditional use permit to operate an open air parking lot for 30 cars for a fee in a general business (B-10) district. The proposal would violate the code as follows:

Section 8-7. A parking lot is conditional in a B-10 district.

The property, located on Oliver Street near the intersection of Franklin Street in the Central Business District, contains 5,171 square feet of vacant land. The proposed service parking lot is an undesirable and inappropriate use in the downtown business and retail area. Further, the proposed facility would tend to have a blighting and deteriorating affect on the surrounding commercial properties. Recommend denial.

VOTED: That in connection with Petition No. Z-2204, brought by Marine Realty Corp and AllRight Boston Parking, Inc. (lessee), 22-28 Oliver Street, Central Business District, for a conditional use permit to operate a parking lot for 30 cars for a fee in a general business (B-10) district, the Boston Redevelopment Authority recommends denial. The proposed service parking lot is an undesirable and inappropriate use in the downtown business and retail area. The proposed facility would also tend to have a blighting and deteriorating affect on the surrounding commercial properties.



Z-2204
22 OLIVER ST.
(B.P.)

Board of Appeal Referrals 7/29/71

Petition No. Z-2211
Pompeo Leone
10 Rodney Street, Brighton

Petitioner seeks a variance to relocate a building (one family dwelling) on a lot in a residential (R-.5) district. The proposal would violate the code as follows:

	<u>Req'd</u>	<u>Proposed</u>
Section 19-1. Side yard is insufficient.	10 ft.	5 ft.

The property, located on Rodney Street near the intersection of Cambridge Street, contains a partially completed one family dwelling. The foundation, framing and roof have been constructed. The minimal violation would not have an unjurious affect on adjacent properties. Recommend approval.

VOTED: That in connection with Petition No. Z-2211, brought by Pompeo Leone, 10 Rodney Street, Brighton, for a variance to relocate a building (one family dwelling) on a lot in a residential (R-.5) district, the Boston Redevelopment Authority recommends approval. The minimal violation would not have an injurious affect on adjacent properties.

[illegible]

Board of Appeal Referrals 7/29/71

Petition No. Z-2213
Robert L. Hughes
12-14 Fairbanks Street, Brighton

Petitioner seeks a forbidden use permit and three variances for a change of occupancy from two families to five families in a residential (R-.8) district. The proposal would violate the code as follows:

	<u>Req'd</u>	<u>Proposed</u>
Section 8-7. A dwelling converted for more families and not meeting the requirements of lot area, open space and off street parking is forbidden in an R-.8 district.		
Section 14-2. Lot area for additional dwelling unit is insufficient.	1500 sf/du	0
Section 17-1. Open space is insufficient.	800 sf/du	475 sf/du
Section 23-1. Off street parking is insufficient.	3 spaces	0

The property, located on Fairbanks Street near the intersection of Washington Street, contains a 2½ story frame dwelling. The proposed five family density would be excessive and not in accord with the typical two and three family dwelling of the neighborhood. The staff recommends a maximum occupancy of three families consistent with adjacent properties. Recommend approval of three family occupancy.

VOTED: That in connection with Petition No. Z-2213, brought by Robert L. Hughes, 12-14 Fairbanks Street, Brighton, for a forbidden use permit and three variances for a change of occupancy from two families to five families in a residential (R-.8) district, the Boston Redevelopment Authority recommends a maximum occupancy of three families. The proposed five family density would be excessive and contrary with the two and three family residential structure of the neighborhood.

PARKING

Board of Appeal Referrals 7/29/71

Petition No. Z-2214
William J. Gormley
509 Centre Street
Jamaica Plain

Petitioner seeks a conditional use permit to erect a marquee addition to a funeral home in a local business (L-.5) district. The proposal would violate the code as follows:

Section 8-6. An extension of a pre-existing conditional use requires a Board of Appeal Hearing.

The property, located on Centre Street near the intersection of Lechstead Avenue, contains a two story funeral home. The proposed marquee addition would extend from the front entrance to the existing driveway and would provide shelter from the elements to those visiting the facility. The violation is technical and would not affect adjacent properties. Recommend approval.

VOTED: That in connection with Petition No. Z-2214, brought by William J. Gormley, 509 Centre Street, Jamaica Plain, for a conditional use permit to erect a marquee addition to a funeral home in a local business (L-.5) district, the Boston Redevelopment Authority recommends approval. The proposed marquee extension would not affect adjacent properties.



ROSEWAY

KINGSBORO

SPRING PARK

METROPOLITAN

LOCHSTEAD

ROBINWOOD

RESERV

ST

ROAD

34023

7538

175,916

MARY F. CURLEY
SCHOOL

12,760

10,875

10,625

9838

11,287

10,889

AVENUE

8848

7813

7813

7500

8750

152,821

7364

179,45

Z-2214
509 CENTRE S
(J.P.)

7495

6300

2709

6850

9831

5752

4000

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7636

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ST. 13

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Petition No. Z-2216
Norman A. Chaletzky
485 Commonwealth Avenue
607 Beacon Street
Back Bay

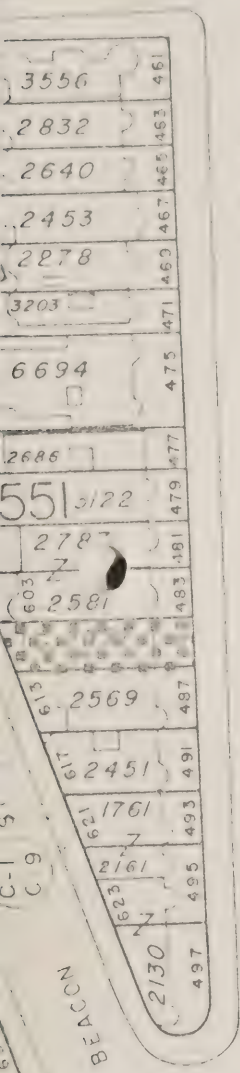
Petitioner seeks a forbidden use permit for a change of occupancy from a restaurant and eight apartments to a restaurant, two stores and six apartments in an apartment (H-4) district. The proposal would violate the code as follows:

Section 8-7. Retail stores are forbidden in an H-4 district.

The property, located between Commonwealth Avenue and Beacon Street, contains a four-story brick structure. First and second floor commercial uses have spread from Kenmore Square into adjacent residential districts. This trend has led to the deterioration of the residential and business community. Residential units are removed from the housing stock; parking is insufficient to meet the demand in the area. This residential property should be preserved.
Recommend denial.

VOTED: That in connection with Petition No. Z-2216, brought by Norman A. Chaletzky, 485 Commonwealth Avenue and 607 Beacon Street, Back Bay, for a change of occupancy from a restaurant and eight apartments to a restaurant, two stores and six apartments in an apartment (H-4) district, the Boston Redevelopment Authority recommends denial. First and second floor uses have spread from Kenmore Square into adjacent residential districts. This trend has led to the deterioration of the residential and business communities. Residential units are removed from the housing stock; parking is insufficient to meet the demand. This residential property should be preserved.

HARLESGATE



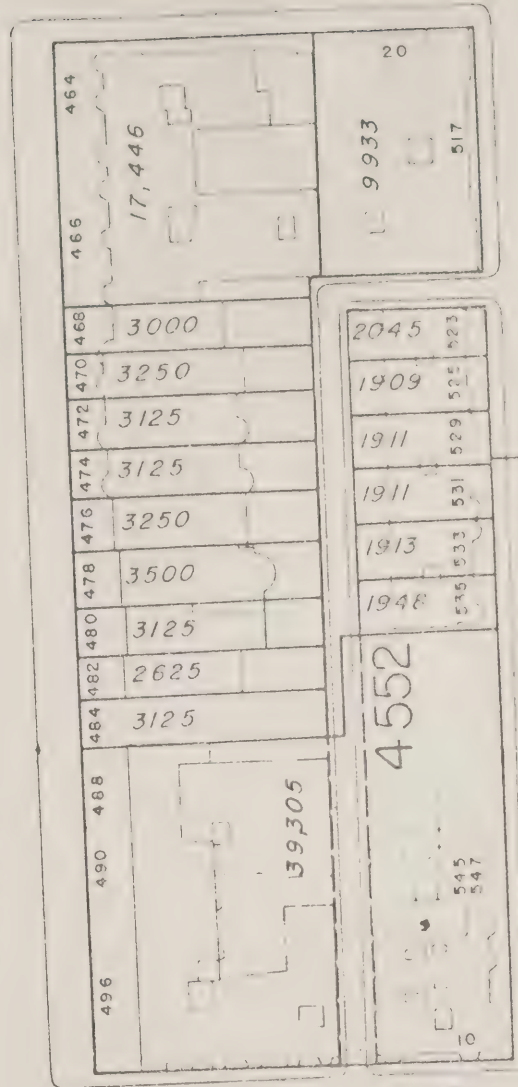
AVENUE

COMMONWEALTH

AVENUE

COMMONWEALTH

WEST



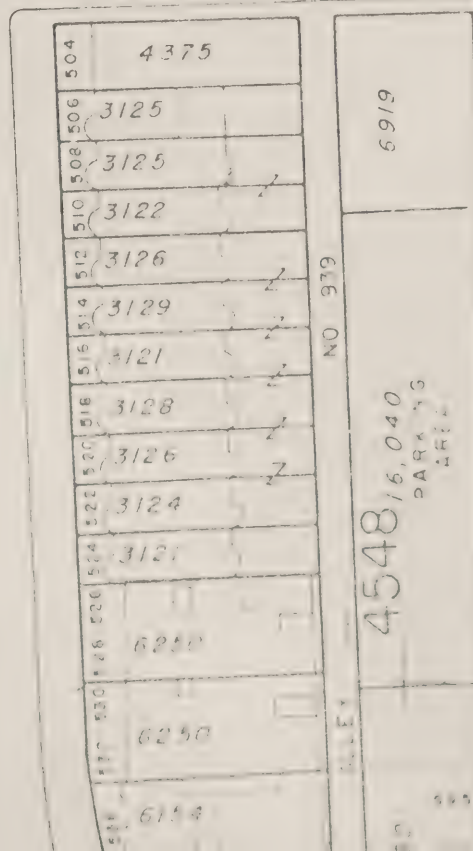
KENMORE

STREET



SQUARE

MT.A STATION



Z-2216

495 COMMONWEALTH AV

(B.P.)

AUTHORITY

R.A.I.L.R.Q.A.D.

STREET

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Board of Appeal Referrals 7/29/71

Petition No. Z-2219
Irmo Delmonaco & Raphaele DiCenso
120 Salem Street & 2 Baldwin Place
North End

Petitioner seeks a forbidden use permit and a variance for a change of occupancy from eight apartments and two stores to nine apartments and one store in a local business (L-2) district. The proposal would violate the code as follows:

	<u>Req'd</u>	<u>Proposed</u>
Section 8-7. A dwelling converted for more families and not meeting one half the requirements of open space is forbidden in an L-2 district.		
Section 17-1. Open space is insufficient.	100 sf/du	0

The property, located on Salem Street at the intersection of Baldwin Place, contains a five story masonry structure. Under a recently issued permit, the petitioner is remodeling this fire damaged property. The proposed additional dwelling unit would be desirable and consistent with the nature of this primarily residential neighborhood. Recommend approval.

VOTED: That in connection with Petition No. Z-2219, brought by Irmo Delmonaco & Raphaele DiCenso, 120 Salem Street & 2 Baldwin Place, North End, for a forbidden use permit and a variance for a change of occupancy from eight apartments and two stores to nine apartments and one store in a local business (L-2) district, the Boston Redevelopment Authority recommends approval. The proposed additional dwelling unit would be desirable and consistent with the nature of this primarily residential neighborhood.



Z-2219
20 SALEM ST
(B.P.)

Board of Appeal Referrals 7/29/71

Petition No. Z-2221
Jacob Barenholtz
60 Kilbarnock Street
Back Bay

Petitioner seeks a conditional use permit and a variance to erect a vehicular access ramp in a parking garage in a local business (L-2) district. The proposal would violate the code as follows:

	<u>Req'd</u>	<u>Proposed</u>
Section 8-6. The extension of a pre-existing conditional use requires a Board of Appeal Hearing.		
Section 15-1. Floor area ratio is excessive.	2.0	2.5

The property, located on Kilbarnock Street near the intersection of Peterborough Street, contains a two story garage presently utilized for the maintenance and parking of taxis and other vehicles. The petitioner proposes to erect an interior vehicular access ramp from the first floor to the roof and provide parking accommodations for 30 cars on the roof. The garage is located in a commercial district adjacent to a dense residential area. The proposed additional parking would help to alleviate vehicular congestion in both the commercial and residential areas. Recommend approval.

VOTED: That in connection with Petition No. Z-2221, brought by Jacob Barenholtz, 60 Kilbarnock Street, Back Bay, for a conditional use permit and a variance to erect a vehicular access ramp in a parking garage in a local business (L-2) district, the Boston Redevelopment Authority recommends approval. The proposed parking would help to alleviate vehicular congestion in this commercial district and the adjacent dense residential neighborhood.

Z-2221
60 KILMARNOCK ST.
(B.P.)

Board of Appeal Refferals 7/29/71

Petition Nos. Z-2222-2223
Louis S. Hadaya, Trustee
Tyler Realty Trust
94 & 96 Tyler Street
South Cove

Petitioner seeks two forbidden use permits and four variances for a change of occupancy in each building from eight to ten apartments in a general business (B-4) district. The proposal would violate the code as follows:

<u>94 Tyler Street</u>	<u>Req'd</u>	<u>Proposed</u>
Section 8-7. A dwelling converted for more families and not meeting the requirements of open space and off street parking is forbidden in a B-4 district.		
Section 17-1. Open space is insufficient.	150 sf/du	0
Section 23-1. Off street parking is insufficient.	2 spaces	0

96 Tyler Street

Section 8-7. A dwelling converted for more families and not meeting the requirements of open space and off street parking is forbidden in a B-4 district.		
Section 17-1. Open space is insufficient.	150 sf/du	0
Section 23-1. Off street parking is insufficient.	2 spaces	0

The property, located on Tyler Street between Harvard and Oak Streets, contains 2 four story brick dwellings. The proposed units would be located in the basement. Work is already in progress. The staff recommends that space be acquired or leased to provide the required off street parking. Recommend approval with proviso.

VOTED: That in connection with Petitions Nos. Z-2222-2223, brought by Louis S. Hadaya, Trustee Tyler Realty Trust, 94-96 Tyler Street, in the South Cove Urban Renewal Area, for two forbidden use permits and four variances for a change of occupancy from eight to ten apartments in a general business (B-4) district, the Boston Redevelopment Authority recommends approval provided that space be acquired or leased to supply the required off street parking.



Z-2222-23
94-96 TYLER ST.
(B.P.)

Petitions Nos.Z-2224-2225
Samuel Zide
15 & 17 Wildwood Street, Mattapan

Petitioner seeks twelve variances to subdivide an area of land in a residential (R-.8) district. The proposal would violate the code as follows:

	<u>Req'd</u>	<u>Proposed</u>
<u>15 Wildwood Street</u>		
Section 14-1. Lot area is insufficient	5000 sf	3987 sf
Section 14-2. Lot area for additional dwelling unit is insufficient	1500 sf/du	0
Section 14-3. Lot width is insufficient	50 ft	40 ft
Section 14-4. Street frontage is insufficient	50 ft	40 ft
Section 15-1. Floor area ratio is excessive	0.8	1.0
Section 19-1. Side yard is insufficient	10 ft	0

17 Wildwood Street

Section 14.1. Lot area is insufficient	5000 sf	3888 sf
Section 14-2. Lot area for additional dwelling unit is insufficient	1500 sf/du	0
Section 14-3. Lot width is insufficient	50 ft	39 ft
Section 14-4. Street frontage is insufficient	50 ft	39 ft
Section 15-1. Floor area ratio is excessive	0.8	1.0
Section 19-1. Side yard is insufficient	10 ft	0

The property, located on Wildwood Street near the intersection of Middleton Street, contains 2 three-family dwellings. The petitioner proposed the subdivision in the event that he has to sell one of the buildings. The violations are existing and technical. The proposal is reasonable and would not affect adjacent properties. Recommend approval.

VOTED: That in connection with petition nos.Z-2224-2225, brought by Samuel Zide, 15 & 17 Wildwood Street, Mattapan, for twelve variances to subdivide an area of land in a residential (R-.8) district, the Boston Redevelopment Authority recommends approval. The proposed subdivision proposal is reasonable and would not affect adjacent properties.



WILLOWOOD

15-17 WILLOWOOD ST.
(ATTN)

18

HARDWOOD

ROAD

AVE.

NARDEN

MIDDLETON

MIDDLETON

STREET

BRANFORD
SCHOOL

DUMAS

STREET

Board of Appeal Referrals 7/29/71

Petition Nos. Z-2226-2227
Barry D. Hoffman, Trustee
144-150 St. Botolph Street
Trust; The Codman Company, Inc.,
Sylvia Klepper
144-146 St. Botolph Street
9-11 Blackwood Street, Boston

Petitioners seek four forbidden use permits and eight variances for a change of occupancy as indicated below in an apartment (H-2) district. The proposal would violate the code as follows:

144 St. Botolph Street (From Nine Apts. to Twelve Apts.) Req'd Proposed

Section 8-7. A dwelling converted for more families and not meeting the requirements of open space and off street parking is forbidden in an H-2 district.

Section 17-1.	Open space is insufficient.	150 sf/du	53 sf/du
Section 23-1.	Off street parking not provided.	2 spaces	0

146 St. Botolph Street (From Nine Apts. to Twelve Apts.)

Section 8-7. A dwelling converted for more families and not meeting the requirements of open space and off street parking is forbidden in an H-2 district.

Section 17-1.	Open space is insufficient.	150 sf/du	35 sf/du
Section 23-1.	Off street parking not provided.	2 spaces	0

9 Blackwood Street (From Eight Apts. to Sixteen Apts.)

Section 8-7. A dwelling converted for more families and not meeting the requirements of open space and off street parking is forbidden in an H-2 district.

Section 17-1.	Open space is insufficient.	150 sf/du	65 sf/du
Section 23-1.	Off street parking not provided.	6 spaces	0

11 Blackwood Street (From Eight Apts. to Sixteen Apts.)

Section 8-7. A dwelling converted for more families and not meeting the requirements of open space and off street parking is forbidden in an H-2 district.

Section 17-1.	Open space is insufficient.	150 sf/du	60 sf/du
Section 23-1.	Off street parking not provided.	6 spaces	0

Z-2226-2229 (cont.)

The properties, located on St. Botolph and Blackwood Streets between Massachusetts Avenue and Cumberland Street, contain four 4 story masonry structures. Consistent with the proposed occupancy increases, the petitioner proposes general rehabilitation to include new mechanical systems, all new interior surfaces, new flooring and windows. The properties would be improved and the neighborhood enhanced. The staff recommends that the proposed development plans be submitted to the Authority for design review. Recommend approval.

VOTED: That in connection with Petition Nos. Z-2226-2229, brought by Barry D. Hoffman, Trustee 144-150 St. Botolph Street Trust, The Codman Company, Inc., and Sylvia Klepper, 144-146 St. Botolph Street and 9-11 Blackwood Street, Boston, for four forbidden use permits and eight variances for a change of occupancy from eighteen to twenty-four apartments and from sixteen to thirty-two apartments in an apartment (H-2) district, the Boston Redevelopment Authority recommends approval with the proviso that the proposed development plans be submitted to the Authority for design review. The proposal would improve the properties and enhance the neighborhood.



Z-2225-29
144-46 ST BOTOLPH ST
9-11 BLACKWOOD ST
(B.P.)

Board of Appeal Referrals 7/29/71

Petition No. Z-2230
Joseph & Patricia Gallagher
12 Chestnut Street, Hyde Park

Petitioner seeks a variance to erect an addition to a one family dwelling in a single family (S-.5) district. The proposal would violate the code as follows:

	<u>Req'd</u>	<u>Proposed</u>
Section 20-1. Rear yard is insufficient.	40 ft.	20 ft.

The property, located on Chestnut Street at the intersection of Child Street, contains a one story frame structure. The proposed addition would be utilized for two bedrooms and would be located at the left side of the dwelling. The yard violation is existing. Recommend approval.

VOTED: That in connection with Petition No. Z-2230, brought by Joseph & Patricia Gallagher, 12 Chestnut Street, Hyde Park, for a variance to erect an addition to a one family dwelling in a single family (S-.5) district, the Boston Redevelopment Authority recommends approval. The yard violation is existing. The proposed two bedroom addition would not have a significant affect on abutting residential properties.

Petition No. Z-2231
Montessori Family Centre, Inc.
94 Seaver Street, Washington Park

Petitioner seeks a conditional use permit for a change of occupancy from a two-family dwelling to a day care center in an apartment (H-1) district. The proposal would violate the code as follows:

Section 8-7. A day care center is conditional in an H-1 district.

The property, located on Seaver Street at the intersection of Parkview Street in the Washington Park Urban Renewal Area, contains a 2½ frame structure. The proposed facility would be relocated from the Campus High Area and would provide accommodations for 50 pre-school age children. The hours of operation would be from 8 am to 4 pm. Franklin Park is situated diagonally opposite the property. There would be no exterior changes. Interior changes would comply with the State Code for day care centers. The proposed day care facility would provide a valuable service and would have a positive affect on the neighborhood. Recommend approval.

VOTED: That in connection with petition no. Z-2231, brought by Montessori Family Centre, Inc., 94 Seaver Street, in the Washington Park Urban Renewal Area, for a conditional use permit for a change of occupancy from a two-family dwelling to a day care center in an apartment (H-1) district, the Boston Redevelopment Authority recommends approval. The proposed day care center would provide a valuable service and would have a positive affect on the neighborhood. The proposal would meet the conditions required for approval under Section 6-3 of the Code.

BOSTON

PLAYSTEAD

STREET